

## BOARD AND COMMISSION APPOINTMENTS

Service on City Boards and Commissions is one of the principal means by which citizens can participate in the conduct of City government. The number of citizens qualified for such service always exceeds the number of appointments that periodically can be made by the Council.

On or before December 31 of each year, the City Clerk shall prepare a list of all appointive terms of Boards, Commissions and Committees which will expire during the next calendar year, with the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position. Also, the City Clerk shall list all Boards, Commissions and Committees whose members serve at the pleasure of the City Council, and the necessary qualifications of each position.

The City Clerk shall further maintain a file of Candidates for Board and Commission appointments, which shall be reviewed each year by the City Clerk to insure that those applicants are still available for appointment. Applications shall be retained in the active file for two (2) full years; thereafter they will be destroyed.

Two months prior to a scheduled vacancy, the City Clerk shall prepare and submit to the various newspapers, information relating to the vacancy including meeting dates and times, Board or Commission functions, and the method of obtaining and submitting applications and establishing the third Wednesday prior to June 1 as the last date to submit applications. The City Clerk shall notify each applicant of the receipt of their application.

Within twenty days after an unscheduled vacancy occurs on a Board or Commission, a special vacancy notice shall be posted in the City Clerk's office, and other locations as directed by City Council. Additionally the City Clerk shall prepare and submit to the various newspapers information relating to the vacancy including meeting dates and times, and Board or Commission application procedure. Final appointment (other than emergency appointments) shall not be made for at least 10 working days after the posting of notice.

If an unscheduled vacancy occurs within one year from the expiration of the term, the City Council has the discretion to appoint a replacement to serve the balance of the unexpired term plus one full term of four years.

Periodically, situations may arise wherein due to the occurrence of a number of simultaneously scheduled Board or Commission vacancies, it may be appropriate to

make certain adjustments in the advertising and recruitment procedures, which are regularly utilized to fill these vacancies. In these cases, the City Council may make the following adjustments by majority vote at a regular public meeting:

- A. The two-month period prior to the occurrence of a scheduled vacancy, which is established for advertising purposes, may be extended to three months.
- B. The last date to submit applications for a vacancy may be changed from the third Wednesday prior to June, to no sooner than the third Wednesday prior to May 1.
- C. The period established for the ad-hoc Appointments Committee's recommendation to the Council of candidates, may be extended from at least two weeks, to at least four weeks prior to the date of appointment.

When vacancies occur, the City Council shall make every effort to appoint the best-qualified person to serve the interest of Newport Beach. The City Council shall only appoint persons who have filed an application for appointment with the City Clerk no later than five (5) days prior to the date on which the City Council nominates candidates for positions. The application shall serve as a basis for determining if the person is a qualified elector of the City, has no conflict of interest that would prevent the applicant from serving, and otherwise satisfies the criteria for appointment specified in the City Charter and any relevant ordinance or Council policy. The City Council prefers that members of Boards and Commissions represent different geographical areas of the City, but residence is a consideration only when applicants are otherwise equally qualified.

To afford the maximum opportunity for citizen service, no person shall be eligible for appointment to any one City Board or Commission for more than two consecutive four year terms, exclusive of a prior appointment to fill an unexpired term. Appointees shall serve on only one standing City Board, Commission or Committee at any time, with the exception of individuals who serve on committees as representatives from other City Boards, Commissions or Committees (i.e. a Planning Commissioner may be seated on the Economic Development Committee as a representative of the Planning Commission). This provision may be waived by a majority vote of City Council.

At such time when an appointment to a Board or Commission is necessary, the Mayor will establish an ad-hoc Appointments Committee composed of three Councilmembers. The Committee's duties are as follows:

- A. Review all applications for position to City Boards and Commissions. The ad-hoc Appointments Committee will review applicant answers to all questions contained in the application;
- B. Conduct any necessary interviews with individual applicants; and
- C. At least two weeks prior to the date of appointment, recommend to the full City Council at a regular public meeting, two or more candidates for each Board or Commission vacancy. Members of the Council may wish to interview the recommended candidates further prior to final selection by the Council. By requiring two or more candidates for each vacancy, it is the intent of the City Council that at least two separate individuals should be considered for each vacancy, i.e., if there are two vacancies, at least four separate individuals will be considered.

The ad-hoc Appointments Committee, in conducting their review of applications and interviews with the individual applicants, shall attempt to determine if there exists a potential conflict of interest, which might interfere with the performance of the applicant's duties in an impartial manner free from bias. It is generally recognized that from time to time it is possible for any individual to have a conflict on any one given issue.

The ad-hoc Appointments Committee, however, shall endeavor to avoid recommending appointments of applicants with a substantial conflict of interest, which would require repeated disqualification from voting on issues that are likely to come before the Board or Commission.

#### PROCEDURE FOR VOTING ON APPOINTMENTS TO CITY COMMISSIONS, BOARDS AND COMMITTEES

- A. The Council will vote on all appointments and seats on each Board/Commission simultaneously. The voting will be by paper ballot and the City Clerk will tabulate and announce the results, including the vote tally.
- B. Each member of the Council will cast the number of votes as indicated on the paper ballot for each seat from the list of the nominees. In order to be appointed, the nominees must receive at least four votes.
- C. For boards/commissions with two vacancies, if two of the nominees receive four or more votes, they will be automatically appointed.

- D. If there is a tie vote, ballots will be distributed to the Council Members to vote for the tying candidates only.
- E. In the event that no one receives four votes, nominees receiving zero or one vote will be dropped and the Council will cast two votes from the list of the remaining nominees and the determination will be made as previously stated.

The City Clerk shall also be responsible for the following functions associated with Board and Commission as well as Citizens' Advisory Committee appointments:

- A. Preparation of letters for the Mayor's signature notifying successful candidates of their appointment.
- B. Preparation of letters for the Mayor's signature notifying unsuccessful candidates for appointment.
- C. Preparation of letters for the Mayor's signature thanking outgoing members for their service and coordination with the Purchasing Agent in the preparation of formal Certificates of Appreciation.

Once the final appointments are made by the City Council, the ad-hoc Appointments Committee will be dissolved.

**Adopted - June 28, 1965**  
**Amended - August 15, 1966**  
**Amended - September 26, 1966**  
**Amended - June 10, 1968**  
**Amended - July 12, 1976**  
**Amended - September 12, 1977**  
**Amended - November 28, 1977**  
**Amended - December 19, 1977**  
**Amended - June 26, 1978**  
**Amended - March 12, 1979**  
**Amended - July 27, 1981**

**Amended - November 23, 1981**  
**Amended - January 24, 1994**  
**Amended - February 26, 1995**  
**Amended - August 12, 1996**  
**Amended - February 24, 1997**  
**Amended - March 22, 1999**  
**Amended - July 12, 1999**  
**Amended - September 27, 1999**  
**Amended - March 14, 2000**  
**Amended - May 8, 2001**  
**Amended - April 23, 2002**

**Formerly A-4**